

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION No. 26394 of 2005

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Dated: 05.01.2006

Between:

Ch.Ramadevi, W/o.Hari Babu,
R/o.Singarakondapalem Village,

Addanki Mandal, Prakasam District.

..... PETITIONER

AND

The Joint Collector, Prakasam District,

Ongole and others.

.....RESPONDENTS

ORDER:

The writ petitioner is the authorized dealer of the fair price shop of Singarakondapalem village, Addanki Mandal. By order dated 15.04.2005 the authorisation of the petitioner was suspended pending enquiry into certain alleged irregularities in distribution of the essential commodities. Aggrieved by the same, the petitioner preferred an appeal before the first respondent-Joint Collector, Prakasam District, under Clause 20 of the A.P.State Public Distribution System Control Order, 2001 (for short the "Control Order"). Pending the said appeal, the petitioner approached this Court by filing W.P.No. 10221 of 2005, aggrieved by the inaction on the part of the first respondent in considering the application for stay. The said writ

petition was disposed of by this Court by order dated 23.08.2005 with a direction to the first respondent to dispose of the appeal within a period of four weeks and till then status quo shall be maintained. The petitioner states that in pursuance of the said order, he has been continuing and distributing the essential commodities to the cardholders. While so, the first respondent, by order dated 28.11.2005, disposed of the appeal directing the Revenue Divisional Officer, Ongole, to conduct proper enquiry giving sufficient opportunity to the petitioner and to take necessary action on merits of the case. The said order is under challenge in this writ petition.

The learned counsel for the petitioner submits that while directing the Revenue Divisional Officer to conduct the enquiry in accordance with law, the 1st respondent ought to have permitted the petitioner to continue as the fair price shop dealer till the enquiry is completed.

Though the learned Government Pleader appearing for the respondents opposed the same and submitted that it would not be in the interest of public to continue the petitioner till the enquiry is completed, having regard to the facts and circumstances of the case and particularly keeping in view the fact that this Court in the earlier writ petition i.e., W.P.No. 10221 of 2005 ordered that status quo shall be maintained during the pendency of the appeal before the first respondent and as on today the petitioner is continuing as the fair price shop dealer, I deem it appropriate to dispose of the writ petition with a direction to the Revenue Divisional Officer, Ongole, to complete the enquiry in terms of the order of the first respondent, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. Till then, the order of status quo granted by this Court while disposing of W.P.No. 10221 of 2005 shall continue.

Accordingly, the writ petition is disposed of. No costs.

(G.ROHINI, J)

Note: Furnish C.C. in three days.

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